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September 2, 2009

VIA FACSIMILE: (571) 273-6500Attn: Refund Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Re: Gardere Wynne Sewell LLP
Request for Refund to American Express Account No. [REDACTED] 31005
Fee Code: 1253 for \$1,110.00 dated June 3, 2009
For U.S. Patent Application No. 10/766,684
Our File No.: 126013-1003

Dear Sir or Madam:

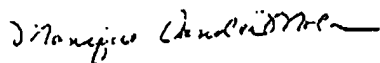
The above-identified patent application is designated as a small entity. The application was erroneously charged a large entity fee on June 3, 2009.

Please refund the amount of \$1,110.00 for fee code 1253 charged on June 3, 2009, by crediting the full amount to the American Express account number identified above. The USPTO is hereby authorized to charge the same American Express account number under fee code 2253 for the amount required for an extension for response within three months for a small entity, which is \$555.00.

Should there be any questions, please contact the undersigned at 214-999-4330.

Very truly yours,

GARDERE WYNNE SEWELL LLP

Monique A. Vander Molen
Reg. No. 53,716

DALLAS 2073124v.2

GARDERE WYNNE SEWELL LLP
3000 Thanksgiving Tower, 1601 Elm Street Dallas, Texas 75201-4761 • 214.999.3000 Phone • 214.999.4667 Fax

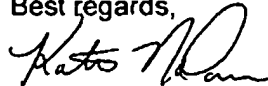
Additionally, we were charged on August 27, 2009 for:

DATE SEQ	POSTING REF TXT	ATTY DOCKET NBR	FEE CODE	AMT
8/27	11342836	1341.1394	1401	\$540.00
8/27	11342836	1341.1394	1402	\$540.00

We are not the owners of Application number 11/342,836 and we did not authorize these charges. We believe there must have been a mistake, and we were charged for another company's transaction.

Please provide a refund of \$2,000 to deposit account number 501959. Please feel free to contact me if you require any additional information.

Best regards,



Katie Nolan
IP Paralegal

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Electronic Patent Application Fee Transmittal

Application Number:

10766684

Filing Date:

28-Jan-2004

Adjustment date: 09/10/2009 SDIRETA1
06/03/2009 INTEFSW 00002437 10766684
01 FC:1253 -1110.00 OP

Title of Invention:

Artificial intervertebral disc

0/2009 SDIRETA1 00000003 10766684
C:2253 555.00 OP

Refund Ref: 0030074204
09/10/2009

Credit Card Refund Total: \$555.00

Am Exp.: ~~00000000~~ **Inventor/Applicant Name:**

Nabil L. Muhanna

Filer:

Monique A. Vander Molen

Attorney Docket Number:

126013-1003

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1110	1110